

Application No. 10/201,172

REMARKS**I. APPLICANTS' INVENTION**

The present invention relates to an endoprosthesis expansion system having, in combination, a delivery component such as a length of catheter tubing having at its distal end an intermediate sheath component, and an inner tube within the full length of the delivery catheter and intermediate sheath component. The inner tube has a protrusion adjacent its distal end, and an expandable endoprosthesis is fitted in a compacted state about the intermediate sheath, immediately proximal to the protrusion. If the endoprosthesis is a self-expanding endoprosthesis (as is preferred), an exterior constraining sheath is required around the outer surface of the endoprosthesis. Following insertion of the endoprosthesis and delivery system into a body conduit (such as a blood vessel) and transport of the endoprosthesis to the desired site within the body conduit, the endoprosthesis is deployed by axially moving the protrusion against the system, thereby applying a radially directed outward force and causing simultaneous dilatation of the intermediate sheath and disruption of the exterior constraining sheath. Disruption of the exterior constraining sheath, in the case of a self-expanding prosthesis, releases the stored energy in the formerly constrained prosthesis, allowing it to expand and accomplish full deployment against the luminal surface of the body conduit at the desired site.

The use of the substantially tubular sheath (i.e., intermediate sheath 20) in combination with the remainder of the claimed system (e.g., a movable protrusion), offers significant advantages over deployment systems that use similar mechanisms such as a protrusion moved directly against and/or through an endoprosthesis without such an intervening sheath. These advantages are described in the specification at, for example, page 10, lines 7-17.

II. PRELIMINARY REMARKS

A one-month extension of time is hereby requested. Please charge the appropriate fee to our Deposit Account No. 07-1729.

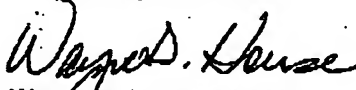
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III. ELECTION/RESTRICTION

Claims 19-50 were canceled in the previous response, leaving claim 1 as the only independent claim. Claim 1 is consequently generic.

In his previous paper, the Examiner states that an election of species is still required, regardless of the canceling of claims 19-50 without prejudice. In the original election/restriction requirement, it was stated that the application contains 8 species, 8 subspecies, 4 subsub species and 3 subsubsubspecies. Applicants elect the claims of Species I (Figure 2A); Subspecies I (Figure 5A), Sub-subspecies I (Figure 7A) and Sub-sub-sub-species II (Figure 6B). The election is made with traverse because the relationships of species to sub-sub-subspecies described by the Examiner are not correct. For example, Figure 1 shows in longitudinal cross section a protrusion 31 located at a distal end of a tube 30 that is axially movable with regard to intermediate sheath 20 and prosthesis 30, contained within constraining sheath 13. Figures 2A-2D are transverse cross sections describing different ways to make the device of Figure 1 (and could correctly be considered as different species). However, the tethers of Figures 7A and 8A-8C (described by the Office as "Sub-subspecies") are alternatives to the tube 30 of Figure 1 and consequently not sub-subspecies. Likewise, regarding the Subspecies of Figures 5A-5H, it is indicated that Figure 5A describes Subspecies I and Figure 5B represents Subspecies II. Yet the specification clearly describes that Figure 5B is simply a transverse cross sectional view of the longitudinal cross section of Figure 5A (p. 7, lines 4-8); clearly the two figures do not describe separate subspecies.

Respectfully submitted,



Wayne D. House 34,623
W. E. Gore and Associates, Inc.
551 Paper Mill Road, P.O. Box 9206
Newark, DE 19714-9206
(928) 864-2574

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